

JOURNAL OF THE HOUSE.

Monday, June 5, 2006.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, Our Creator, in Whom we place our hope and trust, we pray for the wisdom to read correctly the meaning of the present local, national and worldwide events and trends. As we strive to serve people and society thoughtfully in this ever-changing world, inspire us to address both the needs of today and tomorrow in a wise and mature manner. Teach us to consider the consequences and impact of our choices and decisions on people in our various districts now and in the future. With Your assistance, may we build neighborhoods which are stable, safe for families and children and responsive to the needs, both human and spiritual, of all citizens.

Grant Your blessings to the Speaker, to the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Prayer.

Pledge of allegiance.

Message from the Governor.

A message from His Excellency the Governor submitting requests for making appropriations for the fiscal year 2006 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5006) was filed in the office of the Clerk on Thursday, June 1.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Supplemental appropriations, summer jobs.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mrs. Canavan of Brockton) congratulating Andrew Ryon Soucy on receiving the Eagle Award of the Boy Scouts of America;

Andrew Ryon Soucy.

Resolutions (filed by Ms. Gobi of Spencer) congratulating Peggy Anderson on the occasion of her retirement from the Quabbin School District;

Peggy Anderson.

Resolutions (filed by Mr. Hall of Westford) congratulating Doctor Kevin Dwyer on the occasion of his retirement;

Kevin Dwyer.

Resolutions (filed by Mr. Scaccia of Boston) commending Doreen Martel for a decade of dedicated service to the Lions Clubs International and as District Governor of the Lions of Massachusetts, District 33K in 2005-2006; and

Doreen Martel.

Alexander
Filippi.

Resolutions (filed by Mr. Vallee of Franklin) congratulating Alexander Filippi on receiving the Eagle Award of the Boy Scouts of America;

Mr. Scaccia, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mrs. Paulsen of Belmont, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Petitions severally were presented and referred as follows:

Shrewsbury,
ballot
questions.

By Ms. Polito of Shrewsbury, petition (accompanied by bill, House, No. 5013) of Karyn E. Polito and Edward M. Augustus, Jr. (by vote of the town) that the town of Shrewsbury be authorized to provide voters with certain information relative to binding and non-binding ballot questions. To the committee on Election Laws.

Westwood,
innkeepers s
licenses, .

By Mr. Coughlin of Dedham, petition (accompanied by bill, House, No. 5014) of Robert K. Coughlin and Marian Walsh (by vote of the town) that the town of Westwood be authorized to grant innkeepers' licenses. To the committee on Consumer Protection and Professional Licensure.

Norwood,
land.

By Mr. Rogers of Norwood, petition (accompanied by bill, House, No. 5015) of John H. Rogers (by vote of the town) that the town of Norwood be authorized to lease a certain parcel of land to the Y.M.C.A of Greater Boston; and

Lakeville,
manufactured
housing.

By Mr. Canessa of New Bedford, petition (accompanied by bill, House, No. 5016) of Stephen R. Canessa and others (by vote of the town) relative to the administration of rent regulations and the control of evictions in manufactured housing communities in the town of Lakeville;

Severally to the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

Biofuels,
purchase.

Petitions severally were presented and referred as follows:

By Mr. Guyer of Dalton, petition (subject to Joint Rule 12) of Denis E. Guyer for legislation to provide tax incentives to encourage the purchase and use of biofuels.

Norwood
and Sharon,
sewer access.

By Mr. Rogers of Norwood, petition (subject to Joint Rule 12) of John H. Rogers relative to authorizing the Water Resources Authority to provide sewer service through the town of Norwood to certain property located in the town of Sharon.

Terrorist
attacks,
half-staff
flag.

By Mr. Timilty of Milton, petition (subject to Joint Rule 12) of the Massachusetts Elks Association, Walter F. Timilty and others for legislation to require the flag of the Commonwealth to be flown at half-staff annually to honor the victims of the terrorist attack on September 11, 2001.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

An order came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That notwithstanding the provisions of Joint Rule 10, the committee on Public Safety and Homeland Security be granted until Friday, June 30, 2006, within which to make its final report on current Senate document numbered 1338 relative to public safety.

Under suspension of the rules, on motion of Mrs. Paulsen of Belmont, the order (having been reported by the committee on Rules of the two branches, acting concurrently) was considered forthwith; and it was adopted, in concurrence.

Public Safety
and Homeland
Security
committee,
extension
of time for
reporting.

A Bill establishing a sick leave bank for Shelley Nunes, an employee of the Barnstable District Court (Senate, No. 2538) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Shelley
Nunes,
sick leave
bank.

A petition (accompanied by bill, Senate, No. 2568) of James E. Timilty, Philip Travis, Virginia M. Coppola and Elizabeth A. Poirier (by vote of the town) for legislation to exempt Craig Blake of Norton from the maximum age requirements for appointment as a firefighter in the town of Norton, was referred, in concurrence, to the committee on Public Service.

Craig Blake,
age
requirement.

Reports of Committees.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill further regulating the provision of electricity and other services in the Commonwealth (House, No. 4031) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mrs. Paulsen of Belmont, the bill was read a second time forthwith; and it was ordered to a third reading.

Rental
property,
utilities.

By Mr. Pedone of Worcester, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 1440, 1442, 1447, 2856, 2932, 2933, 2936, 3345, 3364, 3365, 3378, 3383, 3385, 3388, 3393, 3403, 3404, 3405, 3411, 3680, 3681, 3689, 3690, 3692, 3693, 3694, 3702, 3703, 3705, 3741, 3744, 3956, 3958, 3963, 3964, 4315, 4347, 4432, 4444 and 4525, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain House documents concerning consumer protection issues and other related matters (House, No. 5007).

Consumer
protection,
study.

By Mr. Binienda of Worcester, for the committee on Revenue, on House, No. 4769, an Order relative to authorizing the committee on Revenue to make an investigation and study of a certain House document concerning the city of Fitchburg property tax abatements (House, No. 5008). Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Fitchburg
property
tax,
study.

Subsequently Mr. Scaccia of Boston, for said committees, reported, in each instance, asking to be discharged from further consideration of said orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Voting
rights,
strengthen.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill strengthening voting rights and voter confidence in the Commonwealth's elections (Senate, No. 2277) ought to pass with certain amendments in section 3, in line 14, and also in section 5, in line 14, by inserting after the word "schooled", in each instance, the word "and".

Gift
cards,
fees.

By the same member, for the same committee, that the Bill prohibiting excessive fees on gift certificates and gift cards (Senate, No. 2442) ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5012.

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendments pending.

Mr. Donato of Medford, for said committee, reported that the matters be scheduled for consideration by the House; and, under said rule, they were placed in the Orders of the Day for the next sitting for a second reading, with the amendments pending.

Bonds,
tents.

Winthrop,
land
conveyance.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the following bills ought to pass:

Relative to the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 4385); and

Authorizing the conveyance of a certain parcel of land in the town of Winthrop (House, No. 4905);

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matters be scheduled for consideration by the House; and, under said rule, they were placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

Lucius Crain
Tavern.

Relative to the historic Lucious Crain Tavern in the town of Hadley (Senate, No. 2127);

Credit
unions.

Further regulating the operations and governance of credit unions (Senate, No. 2288);

Campaign
contributions.

Authorizing campaign contributions by debit card (Senate, No. 2340);

Attleboro,
funds.

Increasing the expenditure limit on revolving funds in the city of Attleboro (Senate, No. 2495) [Local Approval Received];

Amending the charter of the city of Somerville to allow the appointment of a non-civil service chief of police (Senate, No. 2519); and

Somerville,
police chief.

Authorizing the appointment of special police officers in the city of Somerville (Senate, No. 2520);

Somerville,
police.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measures.

The engrossed Bill authorizing terminal audits for commercial vehicles (see House, No. 2113, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Terminal
audits for
commercial
vehicles.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

The engrossed Bill preserving federal highway funds and ensuring compliance with the Federal Motor Carrier Safety Improvement Act (see House, No. 4488, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Motor carrier
safety law.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

The engrossed Bill establishing a sick bank for Michael Abdow, an employee of the Trial Court (see House, No. 4834), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Michael
Abdow,
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

The engrossed Bill establishing a sick leave bank for Debra A. Flagg, an employee of the Department of Mental Retardation (see House, No. 4915), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Debra A.
Flagg,
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Changing the membership of the town meeting of the town of Shrewsbury (see House, No. 4206);

Bills
enacted.

Validating certain orders passed by the Barnstable town council (see House, No. 4627);

Further regulating municipal affordable housing trusts funds (see House, No. 4793); and

Designating a bridge in the city of Amesbury as the First Lieutenant Derek S. Hines Memorial Bridge (see House, No. 4803);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Third
reading
bill.

The House Bill clarifying the enforcement of fence viewers' rulings (House, No. 4749) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DiMasi of Boston,—

Next
sitting.

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at one o'clock P.M.

At twenty-one minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned to meet tomorrow at one o'clock P.M.